

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – A.P. Works Accounts Service – Irregularities committed in tender Notice No. 02/2006-07, dated 01.05.2006 by Sri Sk. Qhasim Syda, DAO(W) (Retd.), RWS Division, Khammam – Disciplinary Proceedings initiated under Rule 20(2) of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Further action dropped – Orders – Issued.

FINANCE (WA-II) DEPARTMENT

G.O. Rt. No. 1600

Dated:08-05-2014.
Read the following:-

- 1) PR&RD (Vig.I.A) Department U.O.Note No. 10641/Vig.I(A) 2007-7, dated 23.07.2008
- 2) Memo. No. DWA/Hyd./Sn.I/EC.I/F.D.File/08-09/994, dated 04.09.2008 of the Director of Works Accounts, Hyderabad.
- 3) Government Memo No. 22527/106/WA.II/2008, dated 11.08.2008
- 4) Letter No. DWA/Hyd./EC1/2008-09/1041, dated 15.11.2008 of the Director of Works Accounts, Hyderabad.
- 5) G. O. Rt. No. 1277, PR&RD(Vig.I.A) Department,dated 19.08.2010
- 6) G.O. Rt. No. 1278, PR&RD (Vig.IA) Department, dated 19.08.2010.
- 7) PR&RD (Vig.I.A) Department U.O.Note No. 10641/Vig.I(A) 2007-23, dated 21.09.2012
- 8) Government Memo No. 22527/106/WA.II/2008, dated 10.10.2012
- 9) Letter No. DWA/Hyd./Sn.I/EC2/2012-13/764, dated 11-02-2013 of the Director of Works Accounts, Hyderabad
- 10) Government Memo No. 22527/106/WA.II/2008, dated 18.05.2013
- 11) Letter No. DWA/Hyd./Sn.I/EC.1/2013-14/357, dated 24-08-2013 of the Director of Works Accounts, Hyderabad.

O R D E R:

In the reference 1st read above, the PR&RD (Vig.I.A) Department has informed that the V&E Department enquired against the complaint of Sri S. Mallaiah, Contractor on the alleged irregularities in finalization of tenders called for vide Tender Notice No. 02/2006-07, dated 01.05.2006 and found certain irregularities committed by the Engineering personnel and the DAO (W) in RWS Division, Khammam and recommended to initiate disciplinary action against the EE, A.E.E and DAO (W), PR&RD Department.

2. In the reference 2nd read above, the Director of Works Accounts has framed the following articles of charge against Sri SK. Qhasim Syda, DAO (W) (Retd.), RWS Division, Khammam.

Charge:

“That Sri SK. Qhasim Syda, DAO (W) (Retd.), RWS Division, Khammam, has committed certain irregularities by manipulating tender documents (rate sheets) of Sri S. Malliah, Contractor and by showing the increased rates. He has favoured another Contractor Sri Jatla Srinu as a lowest bidder and favoured him for his personal gain by colluding with other officials. Thus he had not performed his legitimate duties and misutilised his official position and involved in action of moral turpitude with criminal motive.”

3. The Charged Officer has submitted written statement of defence through the Director of Works Accounts, Hyderabad in the reference 4th read above. After consideration of his written statement of defence, the Government in Panchayat Raj & Rural Development entrusted the disciplinary case to the Commissioner of Inquires vide G.O 6th read above, to conduct a common enquiry on the charges framed against Sri P. Ramesh, the then EE, RWS, Khammam, Sri G. Suresh Kumar, the then AEE, O/o EE, RWS, Khammam, Sri K. Venkateswara Rao, the then Dy EE, RWS Sub-Divn, Khammam, Sri Venu Madhav, the then Sr. Assistant, O/o EE, RWS, Khammam and Sri S. K. Qhasim Syda, the then DAO, RWS Division, Khammam now(Retd.).

(P.T.O)

4. The Inquiry Authority & Commissioner of Inquiry Sri K. Pradeep Chandra, IAS, in the reference 4th read above, submitted his Inquiry Report. The Inquiry Authority in his Inquiry has observed that “since the said Mallaiah was not present at tender opening no effort was made by Charged Officer 1 to inform Mallaiah that the rate sheet was erroneously filled and based on the corrections someone else became L1. In part –II of schedules the signature of contractor is missing only in the work of Mekalakunta. If this was so then the entire tender should have been rejected instead of making corrections in the rate sheet. In view of this and the 9 facts listed earlier, I hold that the component of the charge that Charged Officer 1 and Charged Officer 5 committed certain irregularities by manipulating tender documents (rate sheets) of Sri S. Mallaiah, Contractor is established. The component of the charge that Charged Officer 1 and Charged Officer 5 favoured another Contractor, Sri Jatla Srinu as a lowest bidder and favoured him for their personal gain is not established. The component that Charged Officer 1 and Charged Officer 5 did not perform their legitimate duties is substantiated. The component of the charge that they mis-utilized their official position and involved in action of moral turpitude with criminal motive is not established. I leave it to the Disciplinary Authority to determine how serious or atrocious the consequences of the few components of the Charge that was substantiated”. In the reference 8th read above a copy of enquiry report was communicated to the charged officer. The charged officer submitted his explanation vide reference 11th read above.

5. Government, after careful consideration of the charge framed against Sri SK. Qhasim Syda, DAO (W) (Retd.), his written statement of defence, findings of Inquiry authority in the enquiry and material on record found that the charged officer has not manipulated the tender documents and he has done only rectification of the entry erroneously made in the Tender opening register. He has also attested the same. Sri SK. Qhasim Syda, DAO (W) (Retd.) has not committed any irregularity and did not act in favour of any of the contractor but acted as per the instructions of the Executive Engineer only to correct the wrong posting in the tender opening register. Therefore, Government hereby drop further action against Sri SK. Qhasim Syda, DAO (W) (Retd.).

6. The Director of Works Accounts, Hyderabad is directed to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K. RAMAKRISHNA RAO
SPECIAL SECRETARY TO GOVERNMENT (W&P)

To
Sri SK. Qhasim Syda, DAO (W) (Retd.), RWS&S Division, Khammam
through the Director of Works Accounts, Hyderabad.
The Director of Works Accounts, Hyderabad.
Copy to:
The PR&RD(Vig.I.A) Department.
The General Administration (V&E) Department.
The A.P. Vigilance Commission, Secretariat.
SF/SCs.

// FORWARDED: :BY ORDER//

SECTION OFFICER